

## BOARD OF MAYOR AND ALDERMEN

December 15, 2009

7:30 PM

Mayor Guinta called the meeting to order.

The Clerk called the roll.

Present: Aldermen M. Roy, Gatsas, Sullivan, J. Roy, Osborne, Pinard,  
O'Neil, Lopez, Shea, Garrity, Smith, Ouellette, Arnold.

Absent: Alderman DeVries

Messrs: T. Bowen, L. D'Allesandro, P. Croasdale

**Mayor Guinta** stated without objection, prior to beginning the regular meeting, I would like to take a few moments of personal privilege. I woke up today, like I have most days in the last four years finding myself running late to a meeting. Most of you who have worked with me and who have had the opportunity to meet with me early in the morning, you know that more often than not you are probably waiting in my lobby because for one reason or another, tending to the kids or having a late night the night before due to meetings. It has been an interesting four years. As the day progressed, I realized and I started thinking about the fact that as a Board this is our last meeting together. Today is my last meeting as Mayor of this great City. It hadn't really hit me until about an hour and half ago that I would be joining you for the last time as Mayor. I wanted to take a quick couple of moments to thank a few people that I have worked with, not just over

the last four years but over the last eight years, going back to my days as an Alderman on this Board and being able to call almost all of you colleagues in one form or another. I remember days when Alderman Wihby was here. We used to joke and laugh about different moments throughout an evening of trying to get things accomplished. Dave would be taking people into the back room trying to get a deal done to make sure that we were moving and progressing as a City and moving issues forward. Those are days I am going to miss. It really, truly has been an honor to serve the City and to serve with each and every one of you. As it has been stated in the past not all of us have always agreed 100% of the time but I have always felt that when we leave this Chamber, we have left the Chamber, respecting one another despite the discussion, sometimes the heated discussion that we would have. I thank each and every one of you for providing that respect, to yourselves, to your colleagues, to me and above all to this very sacred Chamber. Serving is never an easy thing. I commend each and every one of you who have served and each and every one of you who have placed your name on the ballot. You all know that we go through sometimes a lot of critique and criticism. Some of it fair and some of it unfair but at the end of the day we take an oath, we do everything that we can to honor that oath and we work in a collaborative fashion to try to improve our constituents and improve our City. It a bittersweet moment to leave this Chamber because it has been so enjoyable. There are a lot of different moments. One I remember is that I told Bill Shea I was going to run for Mayor and he looked at me and he said, it is about family. He has reminded me of that for the last four years. No matter what I do, my life is supposed to be about my family. Nobody knows the pressures, I think, of being a Mayor move so than your spouse. The late nights, the unexpected meetings, the additional requirements during a week, during a Sunday and I am proud that my wife is here today with our kids, Colby and Jack because it has been very difficult for them. Colby and Jack don't realize how much dad hasn't been around but I got to their swimming lesson today, where Jack showed me how he likes to jump into a pool

and Colby showed us how she likes to stay under water for a long period of time. It is moments like that that make this job all the more important and all the more appreciative. We have a great group of employees who work tirelessly for this city. You see it each and every day. Our department heads have been tremendous, fabulous people to work with. I am appreciative that over the last four years, we have been able to work in a very collaborative and respectful manner. I remember when I first came in and I brought a very tough approach to city government. I appreciate the department heads at the time that worked with me, gave me time and gave me the respect that the office deserved. I came down hard on people for a reason because I cared about the spending limits in this city. I cared about priorities in this city. I would like to think that after four years we are leaving a better city than when we found it. I would like to say to the future member of the board and to the future leaders of the city, don't take your jobs for granted. It is an honor to be elected. It is an honor to serve. While you have challenging issues that have been before you and while you will have challenging issues that will be before you, always know that there are people in our city who truly appreciate our approach and our love for service and our love for our city. As I hope and expect that we will conclude this meeting without one argument or without one decent, I will spend the last month making sure that whatever Mayor-Elect Gatsas needs, he will get as our incoming Mayor. I will serve until January 5<sup>th</sup> with, what I hope our city feels is, honor and distinction because it is the least I can provide you for the remainder of my term. I think you all, it has been a privilege and I look forward to seeing the next Board of Mayor and Aldermen lead our city. Thank you very much.

**Mayor Guinta** stated next I would like to ask if Aldermen Mark Roy, Sullivan, Pinard, Garrity and Smith could please come forward. As is customary, when we have retiring members, it is appropriate to honor their distinguished services by presenting retiring members with a key to the city. This evening I would like to

present each and everyone one of you with a key to the city for your service to our community and for your love and appreciation of your ward. I can share stories with you about each and every one of the members who are standing before us. I can tell you that they have all done an exceptional job ensuring that their constituents have always been properly served and always hear by the Mayor. These distinguished gentlemen have always focused on constituent service and ensuring that they can make the best decisions on behalf of their constituents. As with me not every decision pleases people but they have served with distinction. I am very pleased to call each one of them my friend. I am pleased to have worked with each and every one of them. It is with my honor that I present each of these gentlemen with a key to the city. Finally, if I could have the Mayor-Elect come forward please. Alderman and Mayor-Elect Gatsas is leaving his tenure as an Alderman and he is going to on January 5, 2010 going to be in as the new leader of our city. I consider Ted a friend. He has been at times a very interesting adversary on issues that are important to the city but we are both better men for having the distinctive conversations that we have always had about issues in this city. I can tell you this, it has been a pleasure to serve with you and it will be a pleasure to watch you lead our city and I wish you the best of luck. I hope that each and every individual that works for this city and that cares about this city, put their faith and their trust in our friend Ted because he is going to do a wonderful job. With that, I thank you for your service and wish you god speed.

**Alderman Gatsas** stated thank you. Your Honor, thank you very much. It has certainly been an honor and a pleasure to serve with you in this Chamber as an Alderman and also you being the Mayor. Certainly we have disagreed maybe not once but at least twice and certainly it was because we had a strong passionate opinion on something. I certainly consider you my friend. I consider everyone in this chamber my friend that I have worked with. Certainly everybody puts their best foot forward and every time we come up with discussions they are always

brighter and better ideas coming forward for this great city. I wish you the best, you and your family, Colby, Jack and Morgan. Merry Christmas to you all and your families and the best of luck in your future.

**Mayor Guinta** stated the last person I want to say hello to is my dad, who I didn't realize was going to be here, Rich Guinta. He has been a supporter of mine for at least the last four years. He has watched my campaigns and tells me what he thinks I am doing right and tells me when he thinks I am doing something wrong. It is nice for you to be here dad. I appreciate it and I look forward to having you on the next one.

3. Presentation by representatives of the Board of Water Commissioners and Thomas Bowen, Water Works Director, regarding a proposed increase schedule to water usage rate.

**Mr. Thomas Bowen**, Water Works Director, stated as a means of beginning this discussion, I would like to spend a minute and introduce the members of the Board of Water Commissioners. They are here with us this evening. President of the Board is Lou D'Allesandro. Also with us this evening is Dylan Cruess, Clerk of the Board, Bill Beaton, Bernie Garrity, Phil Sapienza and Paul Lessard. Bill Croasdale is our Financial Administrator and Bob Beaurivage and Dave Paris are also with us this evening. I thought it would be important to give a little bit of background into the discussion with regard to the need for water rates and not only for his Board but also for the public because this is probably one of the first times that the public is hearing about the project. The Manchester Water Works, as this Board knows is an enterprise fund to the City of Manchester. No revenues from the City's general fund go into support the Water Works. All of our funds are sustained through the water rates or a serious of miscellaneous charges. All of our funds stay within the department. We are the largest water utility in the State of

New Hampshire. We serve 160,000 people in Manchester and the six surrounding communities. Just to give you a little bit of feel for the scope of what our charge is, we have nearly 500 miles of water mains, 80% of which are located in the City of Manchester. Some of those mains are as old as 135 years old. We place a high priority on capital reinvestment in our infrastructure and for that reason we normally rank very high on the industry yard sticks for such things as leaks per mile, percent unaccounted for water, and cost per million gallons of the product that we provide to our customers. In the water supply division we protect a 42 square mile water shed for the City of Manchester. We have the fortune of having a very high quality source of Lake Massabesic for our water and we own 8,000 acres or nearly 30% of that 42 square mile area. We operate a state of the art water treatment plant, which was upgraded in 2003 and should be available to serve the citizens of the greater Manchester area for decades. Finally we have an excellent group of highly qualified dedicated employees. Just to give you an example of their dedication and quality, 39 of the 82 employees of the department hold either water treatment or distribution licenses for the State of New Hampshire. That is unheard of amongst water utilities in this state. Our 2010 budget has 82 full time positions. That is down one from last year and it is down three from 2006. I mentioned that because I think it is important for the Board to realize that we are not just adding expense to our budget without taking a look at where we can make reasonable cuts. Our current water rates, at \$262 for a typical single family, are the second lowest in the State of New Hampshire. I have heard comments from people who have said that just because we are the lowest or the second lowest, that is not justification for raising rates. I agree but I think it is certainly an indication of the prudence and the strong financial plan that the Water Works has had in place for the decades it has taken to get us into that position. Manchester Water Works will be experiencing a revenue shortfall beginning in 2010, primarily due to wet summer periods, downturn of the economy and to increases in costs of major items such as health insurance, purchase power, and

paving costs. Revenue from the sale of water are estimated to be down this year nearly \$500,000 or 3.7% from our 2008 actuals and that is without any appreciable decrease in operating costs. With regard to the issues of the rate review, I understand the concerns of this Board not being made aware of our plans to raise rates and I will take full responsibility of that lapse in communication. We have however of the past several months had numerous public meetings at the Water Works beginning in July. In September and October the Rules and Regulations Committee of the Board of Water Commissioners met on at least two separate occasions and in November and December a series of public meetings were held in which these issues were discussed. It was in the December meeting that the Board of Water Commissioners came to a consensus based upon a recommendation by the Rules and Regulations Committee of the Board of Water Commissioners that the best approach to stabilizing our revenue shortfall was a series of three 7% rate increases. The first of which would be effective on January 1, 2010. This is not to say that the other two rate increases would be automatically imposed without further action by the Board of Water Commissioners but it is part of the overall plan to stabilize our rates. Each 7% increase is equal to about \$1.50 per month or \$20 per year for that single family customer. With the third increase, should it be necessary, in 2012, a typical annual bill for a single family home would be approximately \$321 which is below the current state average of nearly \$500 per year. With that I would turn the microphone over to Mr. D'Alessandro who will give the Board a summary of the discussion that took place at our Board level with regard to the options that were considered for rate increase.

**Mr. Lou D'Alessandro**, President of the Board of Water Commissioners, stated thank you very much Tom. Your Honor and distinguished members of the Board, it is in deed an honor to appear before you to discuss something of public interest. As all of you know, Commissioners are appointed by the Board of Mayor and Aldermen and we serve in that capacity to do the best job we can for the people of

the City of Manchester. The Water Works was founded in 1871 as a public entity, actually the state provided the bonding for the Water Works to begin and the charge of the Water Works is to produce a quality product at the most expedient rate. The Water Works has done that for over 100 years. The entity has been in place, as I said since 1871. There are appointed member of the Board and the Board breaks itself up into subcommittees to go over certain aspects of the operation of the Manchester Water Works. The subcommittee having to do with rates was Chaired by Dylan Cruess. That subcommittee, made up of three commissioners, looked at a series of options with regard to the financial situation facing the Water Works. Water usage is down. It has been down. How do you address this situation? The Commissioners went over a series of options. One option was a rate increase. The effect of a rate increase and obviously you have to look at that given the state of the times and the state of the economy. Keeping in mind the most prudent and cost effective mechanism is the mechanism that should be used. The subcommittee looked at the option of bonding. What about bonding? We have heard a lot about bonding over the last few years. We have heard a lot of negatives about bonding on the part of some appreciable bonds that the state issued when really they should have been paid for out of cash flow. Every option was discussed. The key element is this, we have a water system that has been in place for over 100 years. We do improvements to that system on an annual basis. We have been paying for those improvements with cash that is generated by the entity. We should continue to do that because that in essence defines the mission of the Water Works and it also is consistent with the quality of the water and the effectiveness of delivering the water. I was in San Diego last week when water mains broke throughout the city. It was an unbelievable site to see a geyser in the middle of the city because of a huge water main break. We don't have many of those in the City of Manchester because of the due diligence that is implored by the management of Manchester Water Works. The Committee made its recommendations and brought them to the full Commission. We had an

extensive debate. In all aspects of this financial situation were brought forth. The Board considered every option, bonding, deferring, rate increase and I believe made a prudent recommendation. That prudent recommendation was to bring forth a 7% rate increase. When you looked at two factors and I think these factors are imperative as you look at this decision making process. The first one is what is the cost of delivering the product to the City of Manchester at the present time? It is among the lowest in the state. The water quality is among the best in the state. In order to maintain those two positions a low cost with super quality, the decision for the 7% increase was brought forth. We maintained that position. That position was not exacerbated to any extent. We are still delivering quality water at a very, very low price. I might say that Pennichuck in Nashua went to the PUC and had a 22% increase in their water rates. The Commission based on previous financial statements likes to maintain a \$1 million balance. That is equal to month months operating expenditures and payroll. If we didn't produce a rate increase that balance would have fallen by the year 2010. There were other situations that were dealt with. The Board spent time reducing its operating budget to try to be as extremely cautious and extremely conservative as they could be as they address this situation. That is the sense of the Board as we discuss this issue with you tonight. The Board will meet tomorrow and we will make a decision with regard to rates. Again, usage is down. Our price is still very low. Our quality is extremely high. We have reduced the budget for the Water Works for 2010 and we the Board, believe that is in the best interest of the people we serve that we continue to operate in the manner that we have and thus the 7% rate increase is justified. As time moves on, if water usage goes up, other decisions will be made in subsequent years. This decision was made and we did, Mr. Bowne and I, meet with the Mayor and discuss this so there was no surprise. We took time to do that because we understood the economic situation facing the city and facing the state. All of that was brought into the context as part of the decision making process. As Tom Bowen pointed out, this rate increase will make

the typical annual cost \$280.71 a year for a family. That is the \$20 increase. I think it is prudent. I think it is defensible recognizing that times are difficult but also recognizing the fact that we want to maintain the quality of our product. We want that product to be delivered efficiently and as inexpensively as possible. That is really the rationale behind this issue. That is the rationale behind the discussions that took place by your Board of Commissioners, who are public servants who serve at no fee and who meet and oversee the operation of the finest water treatment facility in the State of New Hampshire. A facility that all of us should be very proud of and have a great deal of pride in the part that is produced, the way that it has been done and as I have said it has been done for over 100 years. With that we hope to entertain any questions that you might have. I believe that all of the Commissioners are here.

**Alderman Sullivan** stated I see here you have a breakdown of the impact on residential customers. Was an analysis done on what impact this will have on commercial users as well? If so what will be the impact?

**Mr. Bowen** replied on a dollar basis it varies considerably but the rate increase would still be 7%.

**Alderman Sullivan** asked was the business community consulted when you were discussing this?

**Mr. Bowen** replied no they were not.

**Alderman Arnold** stated thank you gentlemen, for coming and helping to clarify this. Could you, Director Bowen, clarify an issue, you had mentioned that the 7% increases are not automatic. I guess I am a little confused because it says in the

letter that the Board opted for this plan versus other alternatives as Commissioner D'Alessandro said. Could you explain that process, if it is not automatic?

**Mr. Bowen** stated what we tried to do is we tried to put together not necessarily a long term plan because to me that is longer than five years but something that would be sustainable for a three to five year period. We started out looking at a shorter window. We looked at a three year window. We had other alternatives that would have worked for the three year window but it would have required another rate increase in the fourth year so we opted to take a look at a little broader five year. We came up with probably half a dozen scenarios. The three seven percent worked. It provided us with a stable income over that entire period. It gave a period when there were going to be rate increases and then it guaranteed that if those rate increases were in effect and our costs did not change substantially and we don't expect that it will and we don't see that there is going to be any less water sold than we are right now because we essentially dropped back to the point that we were at five years ago, we believe that the three sevens will work. The Water Commission will meet on an annual basis to review the need for a water rate increase and we will go through this same process next year in September. The Committee will meet and they will review our financial status and if it is appropriate to have to put forth another 7% rate increase than it will require action of the Board of Water Commissioners to do it. We are not indicating that the action that will be taken tomorrow night at the Board of Water Commissioners meeting will set in place all three 7% increases in one action.

**Alderman Arnold** asked so should water usage change over the course of the next year; it is possible that second 7% increase may no occur?

**Mr. Bowen** replied that is correct.

**Mr. D'Alessandro** stated the only increase that is in place is for one year.

**Alderman O'Neil** stated I with great pride talk about having the best water system in the county. I say that with no spin because it is absolutely true. We are very fortunate that our forefathers had the vision to create this system. I want to thank Commissioner D'Alessandro and Commissioner Cruess for their time in discussing the matter with me. I am going to make some general comments and then ask some specific questions. First and foremost, I don't know if you could have planned a rate increase at a worse time. Timing is the key to many things in life. This is about as poor a time to have a rate increase as there can be I think. We just had a tax or spending cap approved by the voters in November. I think we all need to take note to that. That is where the voters, many of whom are taxpayers directly or indirectly and many of whom are users of the Manchester water system directly. I think a lot of this comes down to philosophy and what concerns me more than anything is that we have the City of Manchester as these main lands and then we have these islands, Water Works being one, Airport being another, EPD being a third, Parking being a fourth, School District being a fifth. It seems that Water Works made this discussion completely on their own. They threw up the bridge and said we are not going to involve anyone else in city government. I was disappointed to hear there was probably only one conversation with the Finance Officer of the city. I believe that was by phone. It could have been a meeting but my understanding is that it was a phone call. I don't believe it involved the City's financial advisors or our bond council. Those folks are generally involved in our discussion with all those islands, the enterprises. I guess in an ideal world, Commissioner Cruess and I talked about this, you want to pay everything with cash and not borrow money. I know I can't own my home that way. I have to have a mortgage. We certainly can't buy fire trucks at \$600,000 or \$1 million with cash, although that would be the ideal world. We can't do school renovations. Borrowing money is part of our everyday life and it is no different in

city government. I think if you look at some of our efforts through the springtime especially on the fleet issue, we spent quite a bit of time in discussing it and at the end of the day I think we passed the historic vote on bonding for the fleet purchase. I was disappointed to hear that the Water Works is moving forward on a piece of equipment doing lease purchase. We have looked at it for fire trucks, police cruisers and heavy equipment and have determined it is not in the best interest of all. I guess to the staff and Commissioners, I am concerned about this disconnect that discussions did not happen with other parts of city government. I don't say this sarcastically but I really don't know what you know and the rest of us don't because we deal with similar situations. To follow up on Alderman Arnold's discussion, I would rather see a plan laid out with the rate increase that says what you are going to do, for these reasons. I know you have continued improvements to our distribution system. I commend you for that. You have done a significant amount of work in those regards. I know we are just coming off major improvements to our water treatment facility. I know you are moving forward with exploring other options for water supply in the city. I am bothered by this living one year to one year comment and that we may have a rate increase. We went through an exercise here ourselves, 18 months ago or two years ago, regarding the waste water system. We clearly identified the needs in the city and laid out a rate increase and included the public in it and to the best of my knowledge there has been very little, if any, problems with that. I certainly have gotten no feedback. I am a little bothered about this financial discussion on the island called the Manchester Water Works and why it didn't include others. At the end of the day everyone may have reached the same conclusion. I would have loved to see you get in on the purchasing of vehicles. From what I understand you are purchasing a front end loader, we just bought several front end loaders. You may have been able to gone in with us and we all could have gotten a better price. I guess that is what bothers me more than anything else. The Commission and staff lived in their own little work on this situation. They didn't include some

folks that might have been a good resource to the discussion. Thank you, Your Honor.

**Alderman Osborne** asked for the people who are watching, you are talking about a 7% increase, correct?

**Mr. Bowen** replied yes.

**Alderman Osborne** asked the first 7% that you are going to take does this bring you to your million dollar mark?

**Mr. Bowen** replied each seven percent is approximately a million dollars yes, worth of additional revenue

**Alderman Osborne** asked the other two might not happen?

**Mr. Bowen** replied that is correct.

**Mayor Guinta** asked Tom, did you convey how much that is for the average household per quarter?

**Mr. Bowen** replied yes, well what we provided to the Board was a schedule that showed that it was \$1.50 approximately per month or \$20 per year so it would be \$5 per quarter.

**Alderman Shea** asked Tom, whether we as a Board agree or disagree, your authority allows you to raise the rates, is that correct?

**Mr. Bowen** replied that is my understanding, yes.

**Alderman Shea** stated so whether we say we are or aren't in favor of this it still has no relevance. There is no basis by which we can tell you, as an enterprise fund that we disagree with the 7%. We can say that and we can express our opinion about it but the fact is that we have no control over the amount of money that you people feel that you need in order to conduct your business.

**Mr. Bowen** stated when the Water Works was chartered and it's similar language in the municipal ordinance that the Board of Water Commissioners has the final say on water rate increases. At least that is my opinion.

**Alderman Shea** asked does the state have any bearing on how you folks conduct your business in terms of being able to raise rates or lower rates or what have you?

**Mr. Bowen** replied there was a change in the state law that occurred in 2001 or 2002, which deferred review of our rate increases out-of-town back to the Board of Water Commissioners as long as certain criteria were met. The criteria is that we must not charge the out-of-town customers any more than the 15% margin over what we charge the in-town customers. As long as we stay within that 15% the PUC allows the Board of Water Commissioners to control the rates out-of-town.

**Alderman Lopez** stated some of the comments that were made, first that you will be taking some of this under advisement at your Commission meeting. Would you like to comment on what has been said in reference to seeking out other people or doing some of the things that the City is doing in order to save money?

**Mr. D'Alessandro** replied I will defer to Mr. Bowen but I think it is always good to take as many temperatures as you can in terms of this decision making process

but in deed the Commissioners were appointed by the Board of Mayor and Aldermen to serve the city of Manchester and to do the best job that they could and to take into consideration all of the facts surrounding the operation of the water system. I think the Commissioners spend their time, give their due diligence and work to make this happen. It is a learning experience and with now the term limits you don't have the situation where you are going to have long-term commissioners anymore because you can only serve for six years. I think that Alderman O'Neil's comments are well taken. This is my second term on the Board. I am under the impression that the minutes or our meetings come to you. You get a chance to look at those. They are given to you and at anytime Aldermen are certainly welcome to come to a water commissioners meeting, look at the plant or anything of that nature. I hope more would do that and take advantage of that situation to see this operation in place. With regards to the timing, I think the timing is very difficult. We are making critical decisions. I think in terms of the decision making process, when you talk about doing something you look at all of the relevant aspects of the decision making process and you do as a board what you think is in the best interest of the people you represent. The fact about bonding, pushing rates off and so forth, all were discussed and it seemed like the prudent thing to do was to go forward with this. I think as the times evolve more interaction with the players in the city obviously is a good idea. I know that having served on the School Board I spent a lot of time interacting with the Aldermen. Interacting with the Mayor's office and interacting with other City members. I think in the final analysis you as a Board have given us the responsibility to make decisions. I think we would be remiss in our duty if we didn't review the information before us and make decisions. Is the time ever perfect for the decision making process? I don't think so but I will take your comments and digest them. I think they are good ones. They are appropriate and I appreciate hearing from you with regard to those items. Again, the entity has been around since 1871, it has preformed exceptionally well. Prices have been

maintained at the lowest possible level over that period of time. We are the envy of every city in the State of New Hampshire. We are the envy of every public water system in the State of New Hampshire and I might say around the country. That is a great attribute to the work that has been done by those who represent the water system and those employees of the system. We have great confidence in our employees and certainly the Commission has evolved over a period of years and the structure has remained in place and I think the integrity of the structure is really something that has been proven time and time again to be in the best interest of the people of Manchester.

**Alderman Lopez** asked are you required to have a public hearing on rate increases?

**Mr. Bowen** replied not to my knowledge.

**Alderman Lopez** asked have you ever had a public meeting?

**Mr. Bowen** replied to be honest with you Alderman, there have been so few water rate increases over the years. There was a water rate increase of 30% in 1990. The next water rate increase was not until 2003 and there was a public hearing on that series of rate increases because there was a \$38 million bond required for the reconstruction of the treatment plant. There were rate increases in 2003, 2004, 2005 and 2006 associated with that as we ratcheted our rates up similar to what EPD is doing now. We have not had a rate increase since 2006 so in the last 20 years, other than for the rate increases that occurred in 2003 to 2006, this is the first one.

**Alderman Lopez** stated I agree with Senator D' Alessandro that the term limit might be the wrong thing for us in the future. I was one of the individuals who put term limits on and I regret it because we lose a lot of good people with a lot of knowledge. The Planning Board, Zoning Board, Water Commissioner an institution that knows what happens over a period of time. If you assure this Alderman that when a new commissioner comes on that he or she is well aware of the history of Water Works. What does a Commissioner go through? If you can sum up for me what you do.

**Mr. Bowen** stated one of the things that we have put in place is we have a financial document that basically is a standard policy of the board is. That is a document that we make available to new commissioners coming on board. Granted it does take a little bit of time to come up to speed on our policies and procedures. When Committee assignments are made there are typically experienced people on these Committees that bring less experienced people up to speed at the same time. I don't know how else to answer your question.

**Alderman Lopez** stated I think maybe Senator D' Alessandro could probably answer it. He has been there a couple of years. If it is going to take a commissioner three or four years maybe we should look for different types of qualifications in moving forward.

**Mr. D' Alessandro** stated Alderman Lopez, I think you are exactly right in this respect. When a novice becomes a commissioner there is a learning curve. I think part of that learning curve is sitting down with the administration and going over the policies and procedures of the entity. Visiting the entity and meeting all of the employees. Going to the garage and meeting all of those employees. Going out to the treatment plant and meeting all of those employees and actually witnessing the

operation of the Manchester Water Works. That might mean going to a break when something occurs and seeing how people are working now. I was the beneficiary of a good learning curve because a number of things happened when I first came on board. I have had the opportunity to meet everybody who is working for the Water Works. I have been to the garage, the treatment plant and I have been out when jobs were being done. I think based on the fact that you are only going to be there for six years the administration should put together a plan that they should follow when each commissioner comes on board so that you could walk them through this process, get them up to speed so that they would be conscious of what is happening in this environment. This is a very, very important aspect. I think water and waste water treatment are vehicles that affect the lives of every individual in our city and every individual in our state. The more we know about these items, the better citizens we are going to be. That is across the broad spectrum. I think in terms of commissioners, we have commissioners who have really dedicated themselves to that learning process and a program should be maintained that consistently orients the new people as to what's going on. That is a very, very important part and we are only there for six years. It is more important that you get off and running early.

**Alderman Smith** stated thank you. Tom, I would like to ask you a couple questions. First, what is the age of the various water lines in the system?

**Mr. Bowen** replied the oldest of lines are 135 years old. We have a program in place to rehabilitate our older lines and that is essentially what we are looking to be able to finance with these water rate increases. It seems to us that when you have an asset that is 135 years old next year you are still going to have assets that are 135 years old and need to be rehabilitated. You are going to be doing that forever essentially. To start bonding those types of recurring capital projects, we don't believe is in the best interest of our customers. When you have a project like

the water treatment plant or when you have a project like the construction of a pumping station or maybe the construction of a new storage tank, those are unique projects that come up once every five to ten years. Those types of projects are best bonded. The recurring cost that has to be put in year in and year out is best financed through water rates, we believe.

**Alderman Smith** asked to follow up, how many systems do you do relining on a yearly basis rather than digging up a city street?

**Mr. Bowen** replied we try to clean and cement two miles of main every year and replace outright one mile of main a year. We have had that program in place for 25 or 30 years on a formal basis. Prior to that it was a little bit less formal but it has been a very formal three miles a year goal every single year. We are almost at the point where we have the rehabilitation portions done. We are still going to have 135 year old main whose useful life is between 100 and 150 years so our emphasis is going to have to shift to more replacement work that rehabilitation.

**Alderman Smith** stated one last follow up, I don't know how many people you service in the City of Manchester, on water extensions, but I imagine you have requests for main extensions and so forth which are very costly to contract yourselves and I don't know how you go about it.

**Mr. Bowen** replied the majority of the main extensions are financed by the requesting parties. There is a formula that the department has and our rules and regulations that allow a certain contribution by the department but for the most part it is financed by the requesting parties.

**Alderman Smith** asked do you know off hand how many residents use Manchester water percentage wise and how many use wells?

**Mr. Bowen** replied I think the Health Department might have a better number of wells in town that are active but it is 99.9% of the City residents are on public water.

**Alderman O'Neil** stated I guess knowing all of the senior players at the Water Works, Mr. Bowen, Mr. Paris, Mr. Beaurivage I know you folks have a long-term operational plan. What concerns me is you have a very short term financial plan. Tom, you know four, five, six, seven years out what you need to do. You know you're going to do water line replacement, water main relining, etcetera. But it seems like you're operating in the short financial picture of three to five years, and if there's one thing that Mr. Sanders has hammered away on in his time in city government with us in this Chambers is to look long term and lay out a plan. If the decision is made by the Commissioners...and Commissioner D'Allesandro, I have utmost respect and confidence in the Board of Water Commission, as well as the staff...if the decision is made to move forward with the rate increase, I would ask that you at some point sit down with Mr. Sanders and maybe he can bring in our assorted experts that we have available to talk about other options, because that's the one thing I'm bothered with today. I know you folks, I know you have long term operational plans in place, but the short term window of financial planning bothers me a little bit. It certainly does not reflect on Phil. It's just the environment we are in right now. I would ask that that happens.

**Alderman Gatsas** stated certainly I applaud the people at the Manchester Water Works because you folks have always delivered a great product at a very reasonable price. I think I'm a little familiar with the Water Works because I served as a commissioner. And I think that my conversations back when I was sitting there was talking about leasing equipment, and I was kind of laughed at and told it didn't work, that it was not within the realm of what our specifications were

to lease equipment on a short term basis or a long term basis and then purchase it because it just wasn't worth doing that. That's just what my memory serves me. And I think, Mr. Bowen, you will probably agree that that is something I talked about back when I was a commissioner. But it wasn't a good idea then, and I know times change and ideas change. It just depends on who brings them forward. But anyway, you've talked about four years of consistent water rate increases, but you didn't tell this Board how much they were. Can you tell me what that water rate increase was for four years?

**Mr. Bowen** responded I think the net increase was 58%. There were four increases. For 2003 and 2004 they were 13.5%, and in 2005 it was 11.5% and in 2006 I believe it was a 9.5% increase.

**Alderman Gatsas** stated but if I compounded those over that four year period, I probably would be up over 65% over that basis, if they were compounded. 57%? Okay, so we're talking about a 57% increase, and I'm looking at...and I probably have a little bit more of an advantage than some of my colleagues on this Board because I'm looking at a capital improvement line item that I looked at in 2003 and 2004. You didn't have capital improvements because you did the big bond issue. I look at 2009 in your capital improvement line item, you budgeted \$1.5 million, and it looks like you're going to close out the year that you only did capital improvements for about \$900,000. So that's about \$600,000 below your budget. I think when we met in my office, and I told you I didn't believe, as Alderman O'Neil said, the right timing for a water rate increase, and I think that I met with you again with one of the commissioners. I think timing is everything. I think I look at a capital improvement of \$2.2 million, and to reduce that water rate so it's a zero increase this year, means that you've got to reduce your capital improvement line item by a million dollars, or reduce some of your costs, because what I heard you say was that you were at the water rates that you were at in 2005,

and I agree with you. Your audited number in 2005 was \$14.647 million and your projection for 2010 is \$14.575. So the water rates are about comparable in that time frame.

**Mr. Bowen** stated the water sales are.

**Alderman Gatsas** stated the water sales, correct. Your expenditures for salaries and operating expenses for that same time frame are up 25%. Now, I don't think the Water Works does a bad job. I think they do a very good job. I think if you go out and bonded that \$2 million, it would cost you \$160,000 a year. That means you could probably give the people in the City of Manchester a 7% reduction in their water rates if you bonded the \$2 million. So I agree with Senator D'Allesandro that there are things that you bond, and sometimes you don't want to bond school building aid and you probably don't want to bond capital improvements at the Highway fund. But certainly there are things that you could bond. And if you could reduce costs to citizens at this time, it's certainly appropriate that you do. There's no question that the timing is wrong. And I think this Board is pretty clear about the message that we sent to the Water Works and the Commission. There's no question that we don't have the authority to ask you or to tell you to do anything. But as the fathers of this City, we are asking you right now that the timing is not right.

**Alderman Gatsas** made a motion asking the Commissioners to go back and require a zero increase in water rates. The motion was duly seconded by Alderman Sullivan.

*Alderman Gatsas requested a roll call vote on the motion. Aldermen Gatsas, Sullivan, J. Roy, Pinard, Lopez, Shea, Garrity and Ouellette voted yea. Aldermen O'Neil, Smith, Arnold, and M. Roy voted nay. Aldermen Osborne and DeVries were absent. The motion passed.*

**Mr. D'Allesandro** stated thank you, Mayor. Thanks for the opportunity to be here. I want to wish all of you a very Merry Christmas and a very successful New Year.

### **CONSENT AGENDA**

**Mayor Guinta** advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Accept BMA Minutes**

- A. Minutes of meetings held on June 3, 2008 (One meeting), July 8, 2008 (Two meetings), August 5, 2008 (Three meetings), August 21, 2008 (One meeting).

### **Approve under supervision of the Department of Highways**

- B. Pole petition:  
11-1258      870 Hayward Street

**Approve under supervision of the Department of Highways; subject to funding availability**

C. Sidewalk Petition:

1188 Union Street

**Information to be Received and Filed**

- D. Approved minutes from the Commission meeting held October 27, 2009, October 2009 Financial Report, and October 2009 Ridership Report submitted by Evan Rosset, Executive Director MTA.
- E. Communication from Bryan Christiansen, Comcast, regarding upgrades to cable services.

**REFERRAL TO COMMITTEE**

**COMMITTEE ON FINANCE**

F. Resolutions:

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Two Thousand Five Hundred Dollars (\$62,500) for the FY 2010 CIP 214510 Manchester Homeless Services Center.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the FY 2010 CIP 511510 Derryfield Park – Al Lemire Field Improvement Project.”

**COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC**

- G.** Amended and Restated Petition to close streets by gates submitted by Wal-Mart Real Estate Business Trust attorneys Devine Millimet & Branch, Professional Association.  
*(Note: A recommendation from Michael Landry, Planning Board Chairman, has been attached.)*

*HAVING DULY READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN PINARD, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.*

- 5.** Nomination to be presented by Mayor Guinta.

Mayor Guinta stated I have two direct appointments, both to MHRA pursuant to Section 10.03 of the City Charter.

Benjaimn Gamache to succeed Fern Gelinias as a member of the Manchester Housing & Redevelopment Authority, term to expire December 31, 2014;

George N. Copadis to succeed himself as a member of the Manchester Housing & Redevelopment Authority, term to expire December 31, 2013.

*On motion of Alderman Ouellette, duly seconded by Alderman Shea, it was voted to recess to allow the Committee on Finance to meet.*

Mayor Guinta called the regular meeting back to order.

## **8. Report of the Committee on Finance**

The Committee on Finance respectfully recommends, after due and careful consideration, that Resolutions:

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Two Thousand Five Hundred Dollars (\$62,500) for the FY 2010 CIP 214510 Manchester Homeless Services Center.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the FY 2010 CIP 511510 Derryfield Park – Al Lemire Field Improvement Project.”

ought to pass and be Enrolled.

*On motion of Alderman Arnold, duly seconded by Alderman Smith, it was voted that the Resolutions ought to pass and be Enrolled.*

## **9. Reports of the Committee on Administration/Information Systems**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration the authorization of payment to A. W. Rose Construction, LLC, totaling \$136,980.62. The authorization of payment is not a waiver of City’s rights to terminate the contract between the City and the Board of School Committee for any reason under the provisions of the agreement and is not a ratification or approval of any past payments made for work at the MCTV studio.

The Committee further notes that this recommendation to authorize payment is merely an acknowledgement that the contractor needs to be paid for work already performed.

*On motion of Alderman Pinard, duly seconded by Alderman J. Roy, it was voted to accept this report and adopt its recommendations.*

**Alderman Gatsas** asked is there anybody here to answer any questions?

**Mayor Guinta** responded no. The Superintendent is at an orientation for the School District this evening. He did ask me was needed here because he did have a conflict. I had talked with the Committee chairman. He did speak before the Committee on Administration and it was conveyed to him that he would not need to be here for the full Board meeting.

**Alderman Gatsas** stated I apologize that I missed that meeting. Was there a question, Alderman O'Neil, of why they didn't come before this Committee to begin with?

**Alderman O'Neil** stated if I may, Your Honor, the Committee focused on making sure that the bills were paid. The contractors had done work. We also discussed that we should not take any other action until Mr. Buckley completes his audit, which should be by the end of the month. So no, we did not get into any detailed discussion pending Mr. Buckley's report, other than recommending that the contractors be paid for the work.

**Alderman Gatsas** stated I guess my next question would be pretty obvious. What if they spend another \$130,000 without coming to this Board?

**Alderman O'Neil** responded I think the message was pretty clear. We didn't go into discussion about it, but I think it was pretty clear.

**Alderman Gatsas** asked did we ask the question of how the architect was paid? I looked at some of the billings. I didn't see a cost for an architect.

**Mayor Guinta** stated that was paid earlier in the year, I believe.

**Alderman Gatsas** asked and how much was that amount?

**Mayor Guinta** responded I think it was \$8,500. I could get you a copy specifically.

**Alderman Gatsas** stated Your Honor, I have all the copies I need of this. Was there a question asked of why the first quote they got was done in 2008?

**Alderman O'Neil** responded there were no detailed discussions about...

**Alderman Gatsas** interjected it was only about the payment.

**Alderman O'Neil** stated we wanted to wait till...I don't want to speak for the Committee members, but we wanted to wait till Mr. Buckley completed his report and we had the facts as he best could determine. The others can jump in. And secondly, and probably most importantly tonight, there was a contractor and a number of sub contractors who had pre-purchased materials, paid their labor, etcetera. We wanted to make sure that they got paid.

**Alderman Gatsas** stated let's not forget what we did to a City Clerk for \$90.

**Alderman O'Neil** stated we didn't close the door on anything. This was just a first step, and I think we're waiting for Mr. Buckley's report, and then we'll take appropriate action.

**Mayor Guinta** stated if I could just jump in, Alderman. There are two issues going on here. The authorization of these expenditures was made by a School District employee. That is being handled by the Superintendent. He is reviewing that situation and will be coming back to the School Board with a report and

recommendations. I believe before the end of the year his report will be completed. On this side, our obligation and responsibility is to determine whether that contract was broken, the contract between the City and the School District, which Kevin Buckley's report is reviewing. When that is completed, which I believe will be part of Christmas break if I'm not mistaken...Is Kevin here?

**Alderman O'Neil** stated we were told by the end of the month.

**Mr. Clark** stated he stated by the end of the month.

**Mayor Guinta** stated okay, by the end of the month. That will come back before the Board for review, and I would fully expect that there would be some sort of a decision made by the next Board.

**Alderman O'Neil** stated I just want to make it clear that we didn't close the door on anything. We took the action we thought was most appropriate tonight, and that was regarding the contractors getting paid.

**Alderman Shea** stated as I read through this letter, 'the authorization of payment is not a waiver of the City's rights to terminate the contract between the City and the Board of School Committee. What contract is that?

**Mayor Guinta** responded between the City and the School District.

**Mr. Clark** stated it's the MCTV contract.

**Alderman Shea** stated in other words, 16 and 22. In other words, there could be some sort of action, if we so deem it, to terminate our relationship or to just say to them...

**Mayor Guinta** interjected if you feel the terms of the contract have been violated after there is a complete and thorough review, this Board has the right, if they feel that a term has been violated, to cancel that contract.

**Alderman Shea** asked to cancel that contract so there would no longer be, at least from our point of view, any kind of television...

**Mayor Guinta** responded no. It doesn't mean that the stations go away.

**Alderman Shea** stated I don't mean that. I mean that it wouldn't be conducted by the present kind of operation. In other words, the people that are now conducting it.

**Mayor Guinta** stated it would have to be a different entity. There would have to be a solution as to... a decision would have to be made. Do you still want to utilize their stations? And if the answer is yes, what entity would then be responsible for the operation of those two stations.

**Alderman Sullivan** stated I guess I have a question. Why are we saying anything at all when there is an investigation still pending?

**Mayor Guinta** responded I'm just answering questions.

**Alderman Sullivan** stated I'm just not...it doesn't strike me as a prudent course of action to approve something that could bind us one way or another when there is an investigation. The possible misconduct, that's still in the works. I think we're jumping the gun on this and we should wait. I won't be here but the rest of you will.

**Mayor Guinta** stated my assumption is that there is a reasonable expectation for payment to the contractor and subcontractors. There is an obligation that is outstanding that has to be dealt with. In addition to that, we have an internal matter that is being reviewed as well. It appears to me that that's the way the Committee is trying to address the issue.

**Alderman O'Neil** stated the motion, as you can tell, was crafted very specifically by one of your peers in the legal profession. We were very careful about what the wording was and what the approval was to protect the City going forward.

**Mayor Guinta** called for a vote on the motion. There being none opposed, the motion carried.

The Committee on Administration respectfully recommends, after due and careful consideration, that the recommendation from the Highway Department regarding Excavation Permit fees be accepted as outlined.

***Alderman Lopez** moved to accept this report and adopt its recommendations. The motion was duly seconded by **Alderman Arnold**.*

**Alderman Gatsas** asked Mr. Chairman, was there any discussion about where those funds were going to go?

**Alderman O'Neil** responded we did talk about it. Mr. Clougherty is here. We did have a discussion about for resurfacing. I don't want to speak for Mr. Clougherty, but I think there was discussion that the department would be supportive of that. At the same time, I brought up the fact that we also had money out of auto registration to expressly go for resurfacing and that shifted this year as

well. I don't know how we can tighten that up. Tim, I'm not trying to speak for you, but we spoke briefly on that particular item.

**Mr. Tim Clougherty**, Facilities Division Manager, stated correct, Alderman. It would be our hope and intention that any of these funds generated would be used to supplement any existing or future funding for roadway construction and to allow for earlier reconstruction and overlay of our City streets. But certainly use of those funds would be subject to the Board of Mayor and Alderman.

**Alderman Gatsas** asked Mr. Clark, is there a way that we can structure some sort of motion that all funds collected would go into this special fund and only be directed for resurfacing, by the vote of the Board?

**Mr. Thomas Clark**, City Solicitor, responded not tonight. I believe that my office would have to work with the Finance Department to determine what type of either capital reserve fund or other reserve fund should be set up and structure it within the actual language of the fund so it comes back to this Board and you adopt it.

**Alderman Gatsas** asked with the understanding from the Chairman of the Board that that would require a two-thirds majority to change it? If we were going to allocate funding for some other source other than resurfacing, it would take a two-thirds vote. I'm just trying to give you some general language.

**Mr. Clark** stated that's the general way that they are set up now.

**Alderman O'Neil** asked Tom, do you happen to know if the money...and I don't know if it was set up similar, and maybe it's something that we should look at, but

we did do something similar a number of years ago regarding auto registration, and a certain dollar amount.

**Mr. Clark** stated if I recall correctly, and I know I've had discussions with Alderman Gatsas about this. Certain funds on auto registrations are supposed to be earmarked for road work. What the Board has done in maybe the last two budgets is it has taken those funds for other uses and bonded that same amount for reconstruction, so that it met the intent of the statute.

**Alderman O'Neil** asked I guess my question for the Mayor-elect would be, does that belong in the discussion or leave that off to the side?

**Alderman Gatsas** responded I think that's off to the side because I think we did that in...we bonded, I think two and a half million or three million two years ago to take care of the auto registration for two years.

**Mayor Guinta** stated Tim, I'm having a hard time understanding this. Is this an existing fee or a new fee.

**Mr. Clougherty** responded this is a new fee, Your Honor.

**Alderman O'Neil** stated it's an expansion of an existing fee. There is an existing fee, Your Honor. There's a base fee of \$200. You do a four foot by six foot trench, it's \$200. You run 1,000 feet of pipe in the road, it is \$200. This is more based on...Tim, correct me if I'm wrong...on actual excavation.

**Mr. Clougherty** responded that's correct. We consider this to be a more equitable basis for fee structure due to roadway degradation that occurs because of excavation within the right of way.

**Mayor Guinta** asked so what is the anticipated revenue projection for the new fee?

**Mr. Clougherty** responded based on the history that we have in our data base. Obviously, we don't have any fee generation history, but from the data on our excavations, we anticipate that it could be anywhere between \$379,000 in 2007 to \$880,000 which would have been anticipated in 2010.

**Mayor Guinta** asked who typically would be responsible for paying this?

**Mr. Clougherty** responded those would be contractors coming into the department wishing to excavate within the right away, who are typically utility contractors or agents of such.

**Mayor Guinta** asked do other communities have this?

**Mr. Clougherty** responded they do, Your Honor. It's a common occurrence across the country. We have also met locally with Concord, New Hampshire, who has recently passed such a concept.

**Mayor Guinta** asked does anyone else other than Concord have it?

**Mr. Clougherty** responded in the documentation we provided, we're listing Shelburne, Vermont; Cincinnati, Ohio; Seattle, Washington. I could provide a list of...

**Mayor Guinta** interjected anyone else in the state, I said.

**Mr. Clougherty** stated I'm not familiar with anyone else in the state, although I haven't done that research specifically. We were looking at communities of similar size to Manchester, and our research was supported through the American Public Works Association and several other independent reports that were generated by cities of much larger size.

**Alderman Shea** stated I think I was catching a little bit of a discussion getting ready to come to the meeting. Now, when somebody pays \$200 now, that is part of what the owner of the property has to pay. Is there going to be an additional amount of money that the contractors are going to add to the excavation so as to make sure that they're not going to be on the losing end, and the homeowner who has to have that done is going to have to pay more?

**Mr. Clougherty** responded that is really going to have to be up to the utility. You've got some utility trenches or excavation permits that are issued for service connections. Alderman O'Neil gave a personal example of that. The other situation that we run into is capital improvement or main replacement where the contractor, for example on Blodget Street, is replacing a main down several blocks of the City street.

**Alderman Shea** stated which means that there is going to be some sort of a cost, possibly, to the homeowner. Is that correct?

**Mr. Clougherty** responded I guess that's possible, but again, that would be up to the individual utility to administer.

**Mayor Guinta** asked well, did you get any comment from them as to how this increase would impact their customers?

**Mr. Clougherty** responded we did not get any comment directly from them.

**Alderman O'Neil** stated the real world is they are going to pass this through. They pass through everything else. I think this is more equitable for these large and long excavations. We get one fee for that when they can do, in some cases, thousands of feet of roadwork. I use this example. My wife and I, several years ago we had to replace the sewer pipe from our house to the City connection. The contractor paid a fee of \$200. Whether or not the plumber marked it up that we had a contract with, and the excavation contractor marked it up...That's probably what happened. Under that same scenario, Mr. Sheppard and I walked through it, if it was a six by ten trench that was dug, we paid \$200 a couple of years ago; we would have paid \$500 with this.

**Mayor Guinta** stated so there are certain circumstances where a residential member would be impacted by this.

**Alderman O'Neil** stated in all honesty, the utilities are going to recover these costs. There are no ifs, ands, or buts about it. When the gas company lays pipe, it's going to be included in that charge.

**Alderman Gatsas** stated Your Honor, I think the two pictures that are on this detail probably speak of it well. If you take a look at the one that says number five, that's a \$200 charge. If you look at number seven on the next page, that's also a \$200 charge. I don't have to tell you that, as you drive through the City's streets that patchwork, as soon as the water and ice get underneath it, it starts lifting, and we start calling the Highway Department to cover potholes. By the time we're done doing that, we've got streets that we probably won't get back to because it might have been resurfaced five years ago. What is the limit, five or three? If you do a street, they can't go in for...

**Mr. Clougherty** responded if it is an overlay, it's three years; if it is a reconstruction, it's five years.

**Alderman Gatsas** stated so if it's an overlay, three years, and someone can go in and do this, and all of a sudden you've got problems throughout the whole street. Now, it's happening across the country that people are saying that we can't maintain our streets. The \$500,000 that we take in auto registration isn't going to cover this. And if we don't start looking at ways that we are going to start resurfacing streets...If you'll remember, when we bonded \$3 million because the potholes were so unbelievable, there's no question that we're going to have problems.

**Mr. Clougherty** stated the funding for the roadway resurfacing or reconstruction is going to be borne by the residents of Manchester in due time one way or the other. These repairs are going to be necessary, and because of these excavations, they're necessary sooner than later.

**Mayor Guinta** asked so are you telling me that you can calculate what the increase is going to be and we'll make sure they don't get a tax increase for that same percentage?

**Mr. Clougherty** responded I'm not sure that I understand the question.

**Mayor Guinta** stated if you say they're going to pay one way or the other - they're going to pay in taxes or they're going to pay in a fee, so can you commit to me that they're going to pay in a fee, that amount of taxes will not go up?

**Mr. Clougherty** responded I could give you a calculation of what it costs to overlay and reconstruct these streets due to degradation that has occurred.

**Mayor Guinta** asked if this is passed, that \$300,000 to \$800,000, will that fully recoup the cost of redoing a street when this is done?

**Mr. Clougherty** responded it will fully refund the cost associated with the area because it's an equitable based formula that's only based on the square footage of the disruption.

**Mayor Guinta** stated okay, so when this is done, within three to five we have to repave this anyway, which it's not going to cover this cost.

**Alderman Gatsas** stated I understand where you're going, Your Honor. Turn the next page where there's no residence. If you take a look, that's just a utility going in and changing something on that street. There's no residence involved there. So, all I'm saying is if you take a drive throughout this city and you take a look at various spots...Now as Alderman O'Neil said, when somebody is cutting up somebody's lawn...but most of the time going to the street, if it's outside the street, that expense belongs to the City. If it's within your property line, then it's a whole different story from the sidewalk in. So these things here that you see throughout the City, in the next year certainly somebody is going to be fill potholes there. The plow trucks are going to go by, they're going to pull up a corner of it, and we're going to have problems and the potholes are going to have to be filled.

**Alderman O'Neil** stated just for clarification, the resident or business owns to the sewer connection, not to the curb line.

**Alderman Smith** stated I think I have a little bit of knowledge of the situation because I did it for about 30 years. Definitely it's going to be passed on to consumers, no matter which way you look at it. It's always my thorn when I was an inspector, if there was a gas leak...it didn't make any difference if the street was newly constructed or an overlay, they dug it up because you had an emergency. So it's hard to control in the enforcement area. And I certainly concur that these long main extensions are very costly. As you can see, most of the gas mains go down the middle of the street, and there should be an overlay. What's going to happen is the utility, the gas company, is going to pass on the cost to the consumer because it's a cost to him. I agree that the City of Manchester with it's streets...now a good example is Beech Street. We did a total reconstruction and it's like a roller coaster.

**Mayor Guinta** asked is there a way to try to minimize these street cuts? Why just try to generate additional income to deal with this legitimate issue? Is there a way that we could try to manage the number of street cuts to reduce the expense?

**Mr. Clougherty** responded we do our best to manage the number of street cuts that are allowed. Unfortunately, after that five year moratorium, you've got utilities that want to improve their capital. You had one sitting in here just a little while ago talking about main replacement because of 100 year old mains. Those things are necessary. When we do a roadway reconstruction such as recently on Cedar Street, a lot of streets on the West side, we mandate that all the utilities do an analysis of their mains to understand whether they're going to have to replace them within the next decade or so to try to minimize those effects.

**Alderman J. Roy** stated I think your point is well taken. It points to the fact that we have to have this go into a dedicated fund so that if there is \$800,000 generated within a year, then that can only be used to resurface and then the taxpayer won't

be double taxed on that. That would be \$800,000 less that they would have to come in and ask us for that year. I think the dedicated fund is the way to go.

**Alderman M. Roy** stated, Tim, when we did the gas line on Everett Street, I'm not sure if you were there yet, but we required them to pave curb to curb because they were disrupting so much of the street. Why on picture seven was that not required and what street is this?

**Mr. Clougherty** responded I can't speak to that specifically. I think that was Blodget Street. We look at it on a case by case basis. If we had required an overlay of the street from curb to curb and block to block, that's an additional cost. It's going to make the fee that we're proposing pale in comparison to the capital cost that they are going to put into an overlay of the street. That too would be passed along to the consumer, under the argument.

**Alderman M. Roy** stated okay, I look at picture five as Alderman Gatsas was talking about and there is saw cut for the final overlay to be put down, so I think that picture is slightly disingenuous as a patch within the City. You can see where it is marked for dig safe. They went in and they did their work and, as required, they patched it for the evening. Then they cut it to come back with what is required with diagonal pave. So I think that's a little disingenuous that that picture is in there to show a small patch in the middle of the street. And then when you look at picture seven, most of the degradation of the street is outside of what's been cut. We've had this argument before that in most places contractors compact their cuts better than the city street around it, and that's why you see a lot of the swelling and frost heaves around them. The water is actually getting into the street around it through other cracks, not necessarily within the cut. So while I see your logic of looking to come up with a fee, I don't like the way this is structured, personally.

**Mr. Clougherty** stated if I may respond, item five is actually Varney Street. To Alderman Smith's point, that was overlaid this year. That's actually a cut to their new gas service and a brand new street within 45 days of that overlay. The reason you see that saw cut is because the initial excavation and patch was not done to the satisfaction of our department and we required the contractor to go back and over excavated.

**Alderman M. Roy** stated let me stop you there for a second, Tim. Why 45 days after an overlay was a resident, a business, a contractor allowed to cut into Varney Street if you have a five year moratorium? Are we just not enforcing that? Are there other problems that should be talked about?

**Mr. Clougherty** responded it very well could have been a gas leak. If there is a gas leak there is absolutely nothing we can do about it other than to allow them to cut into our right of way. As far as compaction relative to excavations, we do have standards for road drain and sewer construction that recognize standard methods of compaction. I've got data from the American Public Works Association and other agencies that support the fact that regardless of how well that's compacted, degradation exists because of the dissimilarity in the sub grade, as well as those cracks that you see, to Alderman Gatsas' point, will allow moisture infiltration which will then cause heaving and subsequent escalated deterioration of the roadway.

**Alderman M. Roy** stated Tim, I'm not arguing that point, but my point is, when you take this street, which is Blodget Street, as you said, if there were cracks ten or fifteen feet away from these cuts, from where that line was put in, roughly ten o'clock on that picture seven, is road degradation. Personally, I think this is just a way to not have it show up in the budget. I personally think we need to take a

better stance on how we pay for our roadways through our budgetary process, not through an added fee that's just going to be passed onto the consumer specifically. I think I've made my point.

**Mayor Guinta** stated I know there are a couple more people who want to speak, but does everyone know how they are going to vote? Without objection, I would like to move on.

**Alderman Smith** stated Alderman Roy, I just want to tell you that if you have a leak there is no way the City can stop them. If you have a sewer break, they've got to have it fixed. If you have a water break, it's got to be fixed. It doesn't matter when the road was paved. I'll tell you what, a good example is we just put the Trail Way over on South Main Street. They paved it one day and two days later they dug it up. So if you go over to South Main Street you'll see a brand new stretch, the walkway all dug up.

**Alderman Shea** stated what I was wondering about is, let's assume that a particular residence has a gas leak, but the extension of that particular construction goes beyond that house. Would you then have both of those residents have to pay for that? In other words, why would somebody who lives to the left or the right of a particular breakage be part of having to pay that? How does that happen? How do you make sure that just one resident has to pay it?

**Mr. Clougherty** asked are you talking about picture seven?

**Alderman Shea** responded yes.

**Mr. Clougherty** stated that's actually a main replacement. These feeds would be assessed on the contractor taking out the excavation permit. Whoever that contractor represents, be it a utility or a homeowner, if it is a sewer tap or a water tap or something like that, that's up to them to administer how they're going to assess those costs. If it's a situation like this, this would be assessed to the gas company and they'd assess those costs.

**Alderman Shea** asked who would pay for that extra amount of money that they're going to add to the bill?

**Mr. Clougherty** responded I believe it would be the ratepayers in the long run. That's up to them.

**Mayor Guinta** stated let's take a vote.

**Alderman Sullivan** asked is there a motion on the floor?

**Mayor Guinta** responded to accept the committee report.

**Alderman Sullivan** stated I guess I would offer an amendment that we add the proviso that this be sent to the City Solicitor and the Finance Officer so that they can develop some sort of a dedicated reserve fund. Is that already a part of the motion? I just wasn't sure if that was included. I just want to make sure that we're not just creating a pot of mad money.

**Mayor Guinta** called for a vote on the motion. *The motion carried, with Aldermen M. Roy and Shea being duly recorded as voting in opposition.*

The Committee on Administration respectfully recommends, after due and careful consideration, that Jennie Angell, Director of Information Services, be authorize to move forward with data security training as recommended.

*On motion of Alderman O'Neil, duly seconded by Alderman Arnold, it was voted to accept this report and adopt its recommendations.*

The Committee on Administration respectfully recommends, after due and careful consideration, that the Finance Officer prepare a Request for Proposal (RFP) for citywide credit card services.

The Committee further recommends that Jennie Angell, Director of Information Services, come back with options and recommendations on proceeding.

*On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to accept this report and adopt its recommendations.*

**10. Report from the joint meeting of the Committee on Community Improvement/Lands and Buildings**

The Joint Committee on Community Improvement and Lands and Buildings respectfully recommends, after due and careful consideration, that the request from New Horizons for the City to demolish the buildings at 167 Manchester Street and transfer said property to New Horizons be approved.

*On motion of Alderman J. Roy, duly seconded by Alderman M. Roy, it was voted to accept this report and adopt its recommendations.*

**Mayor Guinta** asked can I take item 14 next?

**14. Resolutions:**

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Two Thousand Five Hundred Dollars (\$62,500) for the FY 2010 CIP 214510 Manchester Homeless Services Center.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the FY 2010 CIP 511510 Derryfield Park – Al Lemire Field Improvement Project.”

*On motion of Alderman M. Roy, duly seconded by Alderman Arnold, it was voted to waive reading of the resolutions.*

*On motion of Alderman J. Roy, duly seconded by Alderman Pinard, it was voted that the Resolutions ought to pass and be Enrolled.*

- 11. Communication from Steven Hermans, Attorney, submitting 1850 Associates Limited Partnership Community Revitalization Tax Relief Incentive Application.**  
*(Note: A summary of findings submitted by Jay Minkarah, Economic Development Director, is attached.)*

**Alderman Lopez** stated Your Honor, I have a parliamentary question. There have been a lot of questions about this earlier in public meeting. I understand in 45 days we have to make a decision. Is that correct, Mr. Clark?

**Mr. Thomas Clark**, City Solicitor, responded that’s correct. You have 45 days to act after the public hearing.

**Alderman Lopez** stated that would put us at January 19<sup>th</sup> or can go...I'm counting I think 46 days...so January 19<sup>th</sup> would be our deadline.

**Mr. Clark** stated I believe you could go to the February 2<sup>nd</sup> Board meeting.

**Alderman Lopez** stated that would be 46 days, so I just want to make sure. I wondered if this could be referred to a Committee to answer some of the legal questions.

**Mayor Guinta** asked do you want to refer it to Lands and Buildings?

**Alderman Lopez** responded Committee on Administration.

*On motion of Alderman Lopez, duly seconded by Alderman Gatsas, it was voted to refer this item to the Committee on Administration.*

**Alderman Lopez** stated Your Honor, I just want to get a verification that we can get it out of Committee by January 19<sup>th</sup> or the first of February.

**Mr. Clark** stated it would be the second meeting in January.

**Alderman Lopez** stated so whoever is on that Committee has to report back to this Board the 19<sup>th</sup> of January.

**Mayor Guinta** stated yes, a decision has to be made January 19<sup>th</sup>, so the Committee has to meet prior to that and have a recommendation. The full Board needs to vote January 19<sup>th</sup>.

**Alderman Lopez** stated I have one other question that pertains to this. So that we don't have a flood of these coming in until we change the law with the state in reference to the 79-E program, I would recommend that we pull this particular law. I'd like to speak to it afterwards.

**Mayor Guinta** asked so would you like to rescind the application process for the City of Manchester?

**Alderman Lopez** responded correct.

**Mr. Clark** stated Your Honor, this should be done by Ordinance. One has been prepared and given to the Clerk.

**Alderman Lopez** asked can I get a motion on the floor?

**Mayor Guinta** responded the Ordinance would be:

Be it Ordained by the Board of Mayor and Aldermen in the City of Manchester as follows:

The provisions of RSA 79-E, Community Revitalization Tax Relief Incentive, are hereby repealed. This order shall take effect upon passage.

*Alderman Lopez moved to suspend the rules. The motion was duly seconded by Alderman Shea.*

**Alderman Gatsas** stated that in no way pertains to the application before us tonight.

**Mayor Guinta** responded correct. It is future applications.

**Alderman O'Neil** stated I have a question for Attorney Clark. Tom, this is the only way to do it? We couldn't just pass a policy and say that we're not going to accept any more applications after...

**Mr. Clark** interjected no. Once you've adopted the provisions of the statute, you have to follow the guidelines that are set forth in the statute. You can't adopt your own guidelines. The only way to correct that...the statute allows you to repeal the Ordinance and no longer follow the statute. I would suggest at that point that this Board, either through its Economic Development office or through the Mayor's office, work with the Legislature to give the City more leeway in future projects, tighten the statute up somewhat and put some guidelines into it.

**Alderman O'Neil** stated Your Honor, I'm just concerned that it sends...I understand why we're doing it this way, but also concerned, does it send the wrong message.

**Mayor Guinta** stated the idea, I think, behind the maker of the motion is to try to reform what the application process is to give the City a little more leeway to make decisions about applications. Is that fair to say?

**Alderman Lopez** responded that's fair.

**Alderman M. Roy** stated I have a question for Mr. Minkarah. Jay, are you in full support of this 79-E?

**Mr. Jay Minkarah**, Economic Development Director, responded frankly, as it currently stands I do think there are some significant problems with it. I think when RSA 79-E was passed by the Legislature and adopted by the Board it was

very well intentioned. I think the concept is supporting substantial rehabilitation in our downtown areas and historic preservation and housing. Those are all valid. But I think in reality that Manchester's downtown is distinct. There is no other community in New Hampshire that has a downtown as substantial as Manchester's, that has buildings of the size and value that downtown Manchester and the Millyard have, that represents such a significant portion of our overall tax base. Most of New Hampshire's downtowns and town centers are relatively small. They have few commercial buildings. I think it was well intentioned, but I don't think that Manchester was really thought of. The problem is, I think as Alderman Gatsas alluded to earlier, the floor is so low. Fifteen percent of assessed value or \$75,000, whichever is less, is such a low threshold. There are very few projects in the downtown area that wouldn't qualify. The only thing I think that's kept the floodgates, frankly, from opening is that most people are not aware of the existence of the program. Many people have inaccurately believed that it is limited to historic buildings, but in fact it's not. There's no age limitation in the statute at all. So while I'm fully supportive of the goals of 79-E, I do believe that local municipalities should have the opportunity to adopt standards that are more closely tailored to the unique circumstances of the communities.

**Alderman M. Roy** stated looking at the upper end of this project, the Pandora Building, which is what started this conversation this evening, what is the value of tax lost for that property being vacant over the last 20 plus years?

**Mr. Minkarah** responded I'd rather defer to the Assessor on that question. You would have to make assumptions on what the assessed value was over those years. Roughly \$1,000 a year.

**Alderman M. Roy** stated so in order to, in a down economy, get buildings like Pandora, like Concord Street, like Elm Street, on the books, you feel it is better to

not have this program? And the second part of that question is, would any of these projects not have gone forward without this tax incentive?

**Mr. Minkarah** responded I think I'd like to segment my answer. In answering the question of whether or not I support 79-E, I'd rather keep those comments apart from commenting on the application that's currently before us for the Pandora. My comments on 79-E were intended to be general, on the statute and what its potential impacts are. There is no question that the City could have realized substantially more tax revenue over a period of 20 years had that building been fully occupied. I think it's pretty obvious to the Board that I strongly supported and advocated for the restoration of that building and still do. I believe that's a very important project for the City. I think that's a different question than the question of overall whether or not we have to reexamine 79-E. With answer to the other projects, I believe that the three prior projects that came before the Board, the decision to grant that relief was valid. I think when we look back to some of those projects, projects like 22 Concord Street, there is no question that that was a blighted building that had a very negative influence on our downtown. The amount of work that had to be done was very, very substantial. I think the end result has been a very positive one. With the other examples as well, the building at the corner of Elm and West Merrimack is still largely empty and has not yet been rehabilitated. So I think that the decisions the Board made in the prior applications were absolutely valid and appropriate.

**Alderman Shea** stated if certain individuals receive tax incentives or abatements, and the tax rate is a certain amount, that's the residential component of our community that has to pay that difference. That's all I wanted to mention, that basically when we establish a tax rate, and certain individuals who are making improvements to properties and do get a large, substantial amount of abatement to the tune of say \$150,000 or \$300,000, we have to pay as residential owners that

difference between what the commercial or industrial part of our community pays and what the residential owners pay. And that's why there's such a differentiation between what residential owners pay here and what commercial and industrial components pay.

**Alderman Gatsas** stated the future Board will have a representative in the House and also one in the Senate. I think they should be able to find in either one of those bodies in the first part of January to fast track this thing so we can get it back in line. So Jay, I would ask you not to look for new legislation coming forward but legislation that's in the hopper right now that's got to come out in the first three sessions of the legislative year, which means maybe we can amend one of them to correct the problem and bring it back so we don't lose those properties that we're trying to bring revitalization to. Senator DeVries on the Senate side and Representative Long

**Alderman Shea** stated and Representative Shaw.

**Alderman Gatsas** stated so we've got some people that can get legislation moving very quickly rather than having to wait till June.

***Mayor Guinta** called for a vote on the motion to suspend the rules. The motion passed, with Aldermen M. Roy, Sullivan, and Arnold being duly recorded in opposition.*

*On motion of **Alderman Shea**, duly seconded by **Alderman Lopez**, it was voted to place the Ordinance on its final reading. Aldermen M. Roy, Sullivan, and Arnold were duly recorded in opposition.*

*On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted that the Ordinance be ordained. Aldermen M. Roy, Sullivan and Arnold were duly recorded in opposition.*

**Mayor Guinta** stated we have three items left. For two of them we have to go into non-public session. Would you like to do new business now and let department heads go?

## **NEW BUSINESS**

**Mayor Guinta** stated we received a little under \$90,000 from Healthy New Hampshire Foundation for a two-year project to look at cardiovascular risk factors in certain census tracts in the City. We received that notification in November. However, the department in its due diligence was trying to see if there were any additional funds which could be received by the City. The answer to that question was no, and it was further stated that if we do want this grant we need to accept it this year, so I would look for a motion to accept the grant and authorize me to execute the related contracts, subject to the review and approval of the City Solicitor.

*On motion of Alderman M. Roy, duly seconded by Alderman J. Roy, it was voted to accept the grant and authorize the Mayor to execute the related contracts, subject to the review and approval of the City Solicitor.*

Alderman Lopez stated I just want to recognize the City Clerk's office for the decorations they have here for Christmas, just so that doesn't go unnoticed.

***Alderman Arnold** moved that the Board adopt normal polling hours of 6:00 a.m. to 7:00 p.m. in regards to the upcoming Special General Election in District 16. The motion was duly seconded by **Alderman Lopez**.*

**Alderman Arnold** stated I extend my appreciation to the City Clerk for the research he provided to the Board, and I think that many members of this Board, given that research, given historical practice, and certainly given the cost savings would be inclined to reduce the polling place hours for the Special Election. However, I've received feedback over the last several days from a number of people in Ward 12 and actually a couple of people in Ward 1 as well. The consensus seems to be that the regular polling place hours from 6:00 a.m. to 7:00 p.m. be maintained for the Special Election. I realize that most Aldermen on this Board are not directly implicated by the Special Election but I ask out of respect for residents of Wards 1, 2, and 12 that they adopt the regular hours.

**Mayor Guinta** called for a vote on the motion. There being none opposed, the motion carried.

**Alderman O'Neil** asked could we go on record to ask the Chief of Police to come back to the next Board as soon as possible with suggestions on what things we can do internally in the City, what state laws we may need some changes to regarding school violence. The latest incident at Hillside has stirred up the issue again. In my discussions with the Chief, state law is not on the side of the law enforcement community. I don't know if Chief Mara has any specifics but maybe he can look at a comprehensive...maybe at a zero tolerance to begin with and then request the legislature to consider changing any laws. I'll tell you, the teachers at Hillside are scared. This was a 13 year old girl that hit a teacher, yet she was released to the custody of her mother. For me, enough is enough on this issue. I don't want to

get into a big debate tonight but I'll make a motion to that effect so that there is a record of it.

***Alderman O'Neil** moved to ask the Chief of Police to return to the Board as soon as possible with recommendations for curbing school violence. The motion was duly seconded by **Alderman Gatsas**.*

**Alderman Ouellette** stated I thank my colleague Alderman O'Neil for bringing this up. I served on the School Board for nine years and I chaired the Student Conduct Committee for six of those nine years. I will tell you that recent action from the School Board in terms of the Student Conduct Committee, only hearing expulsion cases and not doing work in terms of student conduct didn't help that. We made the Student Conduct a standing committee, but not only did we do that, we committed ourselves to actually doing some things, and one of the first things we did was we promoted Jim Schubert from the PASS director to Alternative Education director. He worked full time, not just as the PASS program director but incorporating all of the programs so one person was looking at everything and working everything together. We're talking the TAP program, the State program, and the Out program at West. All of these programs were working with each other and communicating with each other, and they were making a difference in terms of the violence. Over the past two years I can tell you that it shocked me. When I first got on the board we heard over 50 expulsion cases in one year. My last year as chairman we heard six. It was working. As to why it's not working now, I just don't think there's enough administrative leadership in terms of this issue going forward. So I thank you for bringing this issue forward. It needs to come to light. There is definitely a problem there, and I think that with the proper guidance and the proper administration and the proper people looking at it, and of course the Police Department, it can get back on the right track.

**Alderman Smith** stated I happen to serve every Safety Review Board, and I'm sure most of you don't get the information. On a monthly basis, eight or ten teachers get assaulted. They've got to put it down on record, whether it's a bite or they get pushed down. I have to say that somebody is lacking on the School Board. We have a School Board member on the Safety Review Board and we brought it up to him and he brought it to the School Board, and this has been going on a monthly basis. We're having a Safety Review Board meeting this Friday, and hopefully I'll be there and I'll express my concern. But this has been going on since I've been on the Safety Review Board, for at least two years, and at least eight or ten teachers are injured on a monthly basis by kids.

**Alderman O'Neil** stated this is no longer in my opinion just a school issue. It's a community issue. We need to include, unfortunately, the law enforcement community more in this process. There are people fighting at schools now.

**Alderman Shea** asked is it just the Police that are going to be involved?

**Mayor Guinta** responded right now it's just reviewing legislation, but I'm sure he'll talk with OYS and other appropriate departments.

**Alderman Shea** asked so the Police are going to take the leadership role and then you'll talk with other individuals, Chief, is that it?

*Mayor Guinta called for a vote on the motion to ask the Chief of Police to return to the Board as soon as possible with recommendations for curbing school violence. There being none opposed, the motion carried.*

**Mayor Guinta** stated we have two items that we need to go into non-public on before we take votes, so I'll excuse the department heads if you'd like to leave. But before you go I do want to express my thanks and gratitude to Joanie Porter who is going to be retiring on the 15<sup>th</sup> of January, so technically it's not until the Board will meet again, but I did want to acknowledge your tenure while I was Mayor and the work that you've done on behalf of the City. Congratulations. Good night everybody. Have a great Christmas and a great holiday.

12. Consideration of an employment contract for the Airport Director.  
*A motion would be in order to enter non-public session under the provisions of RSA 91-A:3(II)(a).*

*On motion of Alderman Arnold, duly seconded by Alderman Shea, it was voted to enter into non-public session under the provisions of RSA 91-A:3(II)(a).*

13. Discussion relating to the Office of Youth Services.  
*A motion would be in order to enter non-public session under the provisions of RSA 91-A:3(II)(c).*

*On motion of Alderman Arnold, duly seconded by Alderman Shea, it was voted to enter into non-public session under the provisions of RSA 91-A:3(II)(c).*

**Mayor Guinta** advises that a motion is in order that all matter pending before the present Board of Mayor and Aldermen and its Committees as of January 5, 2009 be referred to the next Board of Mayor and Aldermen.

*On motion of **Alderman Ouellette**, duly seconded by **Alderman Arnold**, it was voted that all matter pending before the present Board of Mayor and Aldermen and its Committees as of January 5, 2009 be referred to the next Board of Mayor and Aldermen.*

*There being no further business, on motion of **Alderman Smith**, duly seconded by **Alderman Pinard**, it was voted to adjourn.*

A True Record. Attest.

City Clerk